

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

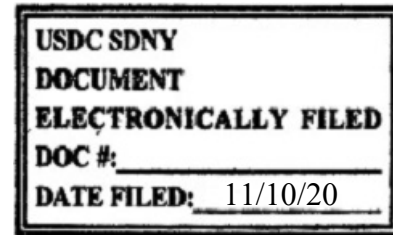
SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

-against-

NICHOLAS J. GENOVESE, et al.,

Defendants.



18-CV-942 (JGK) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

The Court construes defendant Genovese's September 20, 2020 letter, which he has now filed twice (Dkt. Nos. 45, 64) as a motion for reconsideration of this Court's orders dated May 27, 2020 (Dkt. No. 27), July 22, 2020 (Dkt. No. 35), and/or September 22, 2020 (Dkt. No. 44), which in turn denied a series of requests from defendant for "any and all discovery" (Dkt. No. 27), discovery in a particular digital format (Dkt. No. 33), "all Discovery in SEC possession" (Dkt. No. 39), "all of the pre-February 2, 2018 Discovery" (Dkt. No. 40), and/or "All the Discovery in their possession." (Dkt. No. 43.)

So construed, defendant's motion is DENIED. Defendant is reminded that, to the extent he believes he "cannot present facts essential to justify [his] opposition" to plaintiff's pending summary judgment motion without discovery, he may so assert in his opposition papers, which are due November 23, 2020, supported by an affidavit or declaration. *See* Fed. R. Civ. P. 56(d).

Chambers will mail a copy of this Order to defendant Genovese at his new address of record.

Dated: New York, New York
November 10, 2020

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Barbara Moses", written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge